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	1	•	24	tenure with Ideal Merchandising.
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1	Q. Is this something that you	1	A. I couldn't even find this,
2	prepared yourself?	2	It was a what the lawyers had prepped
3	•	3	for me.
4	· • · · · · · · · · · · · · · · · · · ·	4	Q. Well, I don't want to know
5		5	what the lawyers sent you. Is there
6		6	anything else that you looked at to get
7.		7	ready for your deposition?
8	Ţ	8	A. That was it.
9		9	Q. Okay. So the only thing you
10		10	looked at to get ready for your
11		11	deposition, and I have to say I assumed
12	· · · · · · · · · · · · · · · · · · ·	12	it was this document, it was not, it was
13		13	something that your attorneys gave you?
14		14	A. Correct.
15	· · · · · · · · · · · · · · · · · · ·	15	Q. Okay. I would like to walk
16		16	through some of these because I think you
17	· ,	17	have addressed all of these with me, but
18 19		18	I just want to make sure of that. Okay?
20	C :	19	A. Yes, sir.
21	•	20	Q. I only ask you that because
22	Q. Okay. So when did you	21 22	when you nod your head that can't go into
23			the record and I want to make sure that
24		24	you say something that does go into the record.
<u> </u>		-	iccord.
1	A. Any time there was a	ł	381
	A. ANVING DETE WAS A	1 1	A Vec oir
2		1 2	A. Yes, sir. O. The first one is October
2 3	problem, I would do it that day, so I	2	Q. The first one is October
	problem, I would do it that day, so I would say after October 11th was	1 -	Q. The first one is October 6th, 2003, and it talks about what I take
3	problem, I would do it that day, so I would say after October 11th was everything was I updated it that day.	2 3 4	Q. The first one is October 6th, 2003, and it talks about what I take to be the incident with you not having
3 4	problem, I would do it that day, so I would say after October 11th was everything was I updated it that day.	2 3 4 5	Q. The first one is October 6th, 2003, and it talks about what I take to be the incident with you not having your vest; is that correct?
3 4 5	problem, I would do it that day, so I would say after October 11th was everything was I updated it that day. Q. Okay. How about the portion	2 3 4	Q. The first one is October 6th, 2003, and it talks about what I take to be the incident with you not having your vest; is that correct? A. Correct.
3 4 5 6	problem, I would do it that day, so I would say after October 11th was everything was I updated it that day. Q. Okay. How about the portion in italics at the bottom of the second	2 3 4 5 6	Q. The first one is October 6th, 2003, and it talks about what I take to be the incident with you not having your vest; is that correct? A. Correct. Q. I think you said that you
3 4 5 6 7 8 9	problem, I would do it that day, so I would say after October 11th was everything was I updated it that day. Q. Okay. How about the portion in italics at the bottom of the second page	2 3 4 5 6 7	Q. The first one is October 6th, 2003, and it talks about what I take to be the incident with you not having your vest; is that correct? A. Correct. Q. I think you said that you had lost — that Jeremy Leaman had given
3 4 5 6 7 8 9 10	problem, I would do it that day, so I would say after October 11th was everything was I updated it that day. Q. Okay. How about the portion in italics at the bottom of the second page A. Yes, sir. Q. — when did you put that in? A. That was when I was	2 3 4 5 6 7 8	Q. The first one is October 6th, 2003, and it talks about what I take to be the incident with you not having your vest; is that correct? A. Correct. Q. I think you said that you
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3 4 5 6 7 8 9 10 11 12	problem, I would do it that day, so I would say after October 11th was everything was I updated it that day. Q. Okay. How about the portion in italics at the bottom of the second page A. Yes, sir. Q. — when did you put that in? A. That was when I was terminated. Q. Okay. So you put that in at	2 3 4 5 6 7 8 9 10 11 12	Q. The first one is October 6th, 2003, and it talks about what I take to be the incident with you not having your vest; is that correct? A. Correct. Q. I think you said that you had lost — that Jeremy Leaman had given you two vests; correct? A. Correct. Q. And you had lost one of them?
3 4 5 6 7 8 9 10 11 12 13	problem, I would do it that day, so I would say after October 11th was everything was I updated it that day. Q. Okay. How about the portion in italics at the bottom of the second page A. Yes, sir. Q when did you put that in? A. That was when I was terminated. Q. Okay. So you put that in at the end?	2 3 4 5 6 7 8 9 10 11 12 13	Q. The first one is October 6th, 2003, and it talks about what I take to be the incident with you not having your vest; is that correct? A. Correct. Q. I think you said that you had lost — that Jeremy Leaman had given you two vests; correct? A. Correct. Q. And you had lost one of them? A. In Middletown.
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Q. Is that - the concrete

portion, is that where the carts are,

talking about, the apron portion, that's

actually kind of inside. The concrete

A. Actually, it's what you were

19

20

21

22

23

24

shopping carts?

and pointing at me to leave immediately?

O. I'm a little confused, only

earlier that you were already out and

that she said you need to get to your

because I thought you made it very clear

A. Correct.

18

19

20

21

22

	386		388
1	portion was inside of that.	1	Q. Is that the one that you
2	Q. Are they actually inside of	2	suspect was Linda Myers checking up on
3	the doors of the store, the carts?	3	you?
4	A. Yeah, they are actually	4	A. Yes.
5	inside the doors.	5	Q. The next one, January 25th,
6	Q. So you're standing on the	6	2004, and is that when you were
7	concrete portion that's outside the	7	terminated?
8	doors?	8	***
	A. Just outside.	9	A. Yes, sir.
10		•	Q. Okay. Talk to me about
1	Q. I understand.	10	March 3rd, 2004. What happened there?
111	Okay. The next one is	11	A. Let me —
12	December 2nd, 2003. Is this the incident	12	Can I read this for a
13	where you were, was it, standing at the	13	minute?
14	desk in electrical and she said, are you	14	Q. Yeah, go ahead.
15	going to get any work done today, boy,	15	A. Thanks.
16	yeah, that's right, I'm talking to you	16	Q. Are you ready, Mr. Hanson?
17	boy?	17	A. Yes, sir.
18	A. That's correct.	18	Q. Tell me what happened on
19	Q. That's the one you have	19	March 3rd, 2004.
20	already told me about?	20	A. I never, uhm, disclosed with
21	A. Yes, sir.	21	Steve or Jeff about the termination and
22	Q. Okay. Next one, December	22	they told me they found out from Carlos.
23	3rd, 2003, called Mr. Leaman on December	1	Q. Okay. What did they tell
24	2, encounter with Yvette, and is that the	24	you they had found out from Carlos?
		1	÷
-	307	┼	200
	387		A Resiculty that Carlos was
1 2	conversation that you told us about	1 2	A. Basically that Carlos was
2	conversation that you told us about earlier?	2	A. Basically that Carlos was basically bragging about getting me
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	390		392
1	when I said it, I wasn't certain about	1	Linda told Jeremy I was terminated
1 2	the last name, but it's not Fowler, it is	2	because of recorded conversations and
	Folder, that's correct.	3	Carlos I gave Carlos the tape, so,
3		4	therefore, Carlos gave Linda the tape.
4	Q. Okay. So Steve Folder, what was his job at Lowe's?	5	Q. Okay. Now, tell me a little
5	A. He was a plumbing specialist	6	bit about this. It says, as new vendors,
6	at the time.	7	Folder and Ramirez are both experiencing
7	O. Does he still work at	8	similar discriminations with the store
8	Lowe's?	9	management. What was going on with
9		10	Mr. Folder and Mr. Ramirez?
10		11	A. Yvette was basically doing
11	Q. Now I'm going to ask you something else, because in the last	12	the same thing to them that she did to
12	sentence of that entry you have there it	13	me, and that's micromanaging their work,
13	says, as new vendors, Folder and Ramirez		and as vendors, that usually typically
14	are both experiencing similar	15	doesn't happen at the Lowe's store, so
15	discriminations with the store	16	she basically was treating them as if
16	·	17	they were Lowe's employees, except
17	management. A. Yes, sir.	18	treating them worse.
18	Q. At the time you had this	19	O. Treating them the same way
19	conversation with him, was he still	20	she treated you?
20	working for Lowe's?	21	A. Correct.
21 22	A. No, sir, he was working as a	22	Q. What was Mr. Folder's race
23		23	again?
24	Q. How about Jeff Ramirez, what	24	
24	Q. How about tell Aller 12, where		
	391	ľ	393
1	was his job at Lowe's?	1	looks Caucasian, but I was not sure if he
2	A. Amazingly, working as a	2	was of European descent or not.
3	vendor at the Lowe's just like I was	3	
4		4	
5		5	
6		6	_
1	A. Same as Folder, plumbing	7	A. Correct.
8		8	Q. I would like you to turn to
9		9	
10	myself. Ramirez was actual actually	10	A. Sure.
111	the department manager of plumbing.	1	
12	O. And, I apologize, because I	13	·
13	think you have told me already, but they	113	
14	said to you that Carlos said he had given	1 14	Q. — and the first paragraph
15		11	
10	A. Correct.	1	
17	Q. Okay. Now, as far as you	1	Q. In the next paragraph it
11	know, had Carlos given a tape to Linda	! 1	
19	A. The only like I said,	1	9 A. Yes. 0 Q. Do you see that?
20		12	
10.	and left told me that's what I know but	4.2	i fl. 1703, sm.

Q. Then it looks like it starts

another paragraph with the words any

other vendor. Do you see where I am

21

22

23

21 and Jeff told me, that's what I know, but

Esc

22 knowing that I am the one that gave

23 Carlos the tape, I have no reason to

24 believe that he didn't do it because

A. Yes, sir.

	398		400
1	Yvette and Linda, just the fact that I	1	would like you to take two
1 2	didn't think they should treat me the way	2	exhibits, so I will do my best to
3	they did and it was it just was very	3	move this along as fast as we can,
4	unprofessional.	4	so take the complaint, which is
5	Q. You never made any	5	Exhibit 3, and your Answers to
	derogatory remarks about either one of	6	Interrogatories, which is Exhibit
6	them?	7	Number 5, and I would like you to
7		8	turn to in the complaint to
8	A. No, sir.	9	paragraph 26.
9	Q. Okay. Looking down the	10	THE WITNESS: Yes.
10	second to the last — I'm sorry, the last	11	BY MR. LEAHY:
11	paragraph there, the one that starts with	12	O. While you're at it, take the
12	from day one.	13	interrogatory responses and turn to
13	A. Yes, sir.	14	number 5.
14	Q. Okay. Looking at the last	15	A. (Witness complies with
15	sentence, it says, tape recorder was used	16	request.)
16	for note-taking purposes for work. We	17	Yes.
17	already discussed that, right?	18	O. Okay? Now, let me just read
18	A. Yes, sir.	110	paragraph 26 so we are all on the same
19	Q. Okay. And then it says in	1	page. Paragraph 26 says, agents of
20	the sentence right before that, Linda	20	defendant Lowe's have made false oral
21	falsely accused me of recording a	121	
22	conversation?	22	statements regarding plaintiff as
23	A. Yes, sir.	23	referenced herein above. Okay? Do you see where I read
24	Q. But we have already	24	DO And see whele I lead
<u> </u>	399		40:
1	discussed that you did record that one	1	that?
2	conversation, didn't you?	2	A. Yes.
3	A. Can I add a footnote to	3	Q. And then I asked you in
4	that?	4	interrogatory 5 to identify them. Okay?
5	Q. Sure.	5	A. Yes.
6	A. The answer to the question	6	Q. And then the response is the
7	is yes, but I appreciate you adding me	7	conversation that I think you have
8	the footnote, and the footnote to that is	8	already told me about involving Steve
9	that was unintentional. I didn't even	9	Folder and Jeff Ramirez; is that correct
10	know that I had it recording. That was	10	A. Right.
11	from what I was doing testing 1, 2, 3	11	Q. And it was the incident
12	44 171 1	12	involving Carlos Vazquez making
13		13	
		14	
14	_	15	
15		16	
16	· · · · · · · · · · · · · · · · · · ·	117	
17		18	
18		19	
19		20	
20	discussion held off the record at	121	= _
	CONTRACTOR OF THE CONTRACTOR O		
21		122	A. Correct.
22	this time.)	22	
	this time.)	22 23 24	Q. Okay. Anything else then?

101 (Pages 398 to 401)

<i>-</i>	71.00 0V 000-0 001 D000 1120111411	17/21	
]	402		40
1	the plaintiff that you're talking about	1	Q. And what's your salary now?
2	in this paragraph beyond that?	2	A. It's the same.
3	A. As far as statements, no, it	3	Q. Okay. Do you remember when
4	would be just Carlos, Steve and Jeff.	4	in September it was that you started
5	Q. Okay. And this conversation	5	there?
6	that Carlos had with Steve and Jeff, did	6	A. 27th.
7	you understand where it happened or when		Q. Who was your supervisor at
8	it happened?	8	Labor Ready?
9	A. No, sir.	9	A. Lisa Giles.
10	Q. Okay. You didn't know	10	Q. What's her position?
11	whether it happened at work, at home,	lii	A. District manager.
12	anything like that?	12	Q. Okay. Is that the only
13	A. Correct.	13	position that you have held since that
14	Q. You don't correct, that	14	time?
15	you don't know?	15	A. Yes, sir.
16	A. Correct, I don't know.	16	· · · · · · · · · · · · · · · · · · ·
17	Q. Okay. I want to talk to you	1	Q. And just to make it clear,
1.8		17	since the time you left Ideal, the only
19	a little bit about after you left Ideal	18	position that you have held, the only
	after your termination. To help you out,	19	employment that you have had, is with
20	why don't you turn to interrogatory	20	Labor Ready?
21	number 9 in exhibit — you had it right	21	A. Yes, sir.
22	there, the other one.	22	Q. Do you get a bonus or
23	A. Yes, sir.	23	anything on top of that \$36,000?
24	Q. Okay. In number 9 I asked	24	A. Yes, I do.
	403		40:
1	you to identify the employer for each and	1	Q. What kind of bonus do you
2	every job that you have applied, sought	2	get?
3	or held since you left Ideal.	3	A. Net operating income bonus
4	A. Yes, sir.	4	which is based on sales, aging, accounts
5	Q. And you have a list on the	5	receivables, payables.
6	following page. Are those all of the	6	Q. And how much is that bonus?
7	jobs that you attempted to get in the	7	A. It could be anywhere between
8	time after you were terminated from	8	100 for me, I have had between 100 to
9	Ideal?	9	500 between 100 to 400 or \$300 a
10	A. Yes, sir.	10	month.
11	Q. There's no others other than	11	Q. Between \$100 or \$300 a
12	that?	12	month?
13	A. Correct.	13	A. Correct.
14	Q. And the last one listed	14	
15	there is letter L. It's the position as	15	Q. Okay. What benefits do you get there?
16	a branch manager with Labor Ready?	16	A. Uhm, first health and
17	A. Correct.	17	
18	Q. Is that where you currently	1	401(k).
9	work?	18	Q. Okay. And did you have
20		19	those benefits when you worked at Ideal
	A. Yes, sir.	20	A. I had the health, but not
21	Q. It says beginning in	21	the 401(k).
22	September of 2004 your salary was	22	Q. Okay. I would like you to
3	\$36,000? A Yes sir	23	look at number 10 in the interrogatories
44	A. Tes sit	24	That asks you for witnesses

A. Yes, sir.

24

24 That asks you for witnesses.

1 Now, you have told me about 2 — looking at your response there, you told me about Jeff Ramirez; is that correct? A. Yes, sir. Q. And Steve Folder you told me about? A. Yes. Q. Who is Corleen? A. She was the lady that I was talking about that was — I wasn't sure if she was going to help me out and get if she was going to help me out and get if she was Coral that I had written down. A. And I said I'm not really sure. That was my mistake. Q. Do you think Corleen is correct? A. Yes, sir. Q. That's her correct name? A. More on Corleen than Coral. Q. Okay. What department did 1 you say she worked in? A. Prodesk. Q. Prodesk, okay. Keith Dominick you told us about; is that correct? A. Yes. Q. Prodesk, okay. Keith Dominick you told us about; is that correct? A. Yes. Q. Buck is the one who received that call that you believe came from Linda Myers; is that correct? A. Yes. Q. And Jeremy Leaman we already know? A. Yes. MR. LEAHY: I have no further questions. C. Caucasian. C. Cowy. A. Yes, ma'm. Q. Throughout the deposition as well. A. Okay. A. Yes. Q. Prodesk, okay. A. Yes. Q. Prodesk, okay. A. Yes. Q. Buck is the one who received that call that you believe came from Linda Myers; is that correct? A. Yes. A. Yes. Q. Good evening. I'm Lucretia Clemons and I am an attorney and I represent DDP Holdings. Okay? I have a few questions, and it will appear that I represent DDP Holdings. Okay? I have a few questions, and it will appear that I represent to huma ractural because much of 22 wurn, Exhibit 9, okay. A. Jes. A. Yes, ma'am. Q. Okay. So you're equating race in mational origin is Korean if you were born in that in the worth of the deposition as well. A. Okay. A. Okay. A. Okay. A. Yes, ma'am. Q. Okay. So you're equating race in mational origin is Korean if you were born in the classification as well. A. Okay. A. Correct. Q. Why is it that you believe the came from a look of the deposition as well. A. Okay. A. Correct. Q. Why is it that you believe discriminated against, or you idleatily your national origin as Korean? A.	MITTIAM	1423470 047 /
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(2) ICW QUESTIONS and it was appearance	22 represent DDP Holdings. Okay? I have	
los As imper around because much of /4 U. E. E. Hill 7. URAY.	23 few questions, and it will appear that I	
24 am going to Jump around because much of 27	24 am going to jump around because much	OI 24 Q. Exhibit 2, okay.

	410		412
	A. Yes.	1	Q. What else did you say?
2	•	2	A. Punitive.
3	, , , , , , , , , , , , , , , , , , , ,	3	Q. Okay.
4	down dates of things that were happening	4	A. Compensatory.
5	or any you did not keep a personal	5	Q. Okay. So why don't we start
6	journal or diary or anything?	6	with talking about what do you want back
7	A. Just, uhm, Jeremy Leaman had	7	pay for? Why don't you tell me what
8	given me a a work book on the product	8	you're talking about?
9	and anything that had to do with that	9	A. Just back pay on lost wages
10		10	just because I felt the termination was
111		11	unjust and just back pay on the duration
12		12	that I was I did not work for eight
13		13	months after I left Ideal. It took me
14		14	eight months to find a job, so I would be
15		15	talking back pay for those eight months
16		16	where where I wasn't earning income
117		17	for that period.
18	J	18	Q. Okay. And, so, correct me
19		19	if I'm wrong, in what you have termed
20		20	
21	go off the record.	21	back pay you are looking for the lost
22	go on the record.	22	wages from the period of time you were
23	(Whereupon, there was a	23	terminated from Ideal until you found
24		24	other employment? A. Correct.
124	discussion held off the record at	24	A. Correct.
	411		413
1	this time.)	1	Q. Okay. Anything else that
2		. 2	you would term as back pay?
3	MS. CLEMONS: A conversation	3	A. Overtime.
4	was held off the record wherein	4	Q. Okay. Were you working
5	Mr. Hanson and his counsel agreed	5	overtime while you were working with
6	to produce the documents we just	6	Ideal?
7	discussed. Okay?	7	A. A couple times.
8	BY MS. CLEMONS:	8	Q. Okay. So you want whatever
9	Q. Have you now or previously	9	lost wages and overtime you believe you
10	been a party to any other litigation or	10	would have worked during that same period
11	administrative complaint, and what I mean	11	of time?
12	is, have you ever been to court before or	12	A. Correct.
13	filed another complaint of	13	Q. Anything else in there?
14	discrimination?	14	A. Bonus.
15	A. No, ma'am.	15	Q. Did Ideal have a bonus
16	Q. What damages are you seeking	16	program that you knew about it?
17	to recover in this lawsuit?	17	A. Not that I knew about.
18	A. Uhm	18	Q. Okay. So when you say "you
19	Q. What do you want?	19	wanted a bonus," what do you - was this
20	A. Basically, uhm, back pay,	20	something you talked about with Jeremy
21	front pay, punitive, compensatory.	21	Leaman who was your supervisor?
22	Q. Okay. Let me go back. Back	22	A. Yes, ma'am.
23	pay, you said front pay?	23	Q. Why don't you tell me about
24	A. Front pay.	24	that conversation?
1	· · · · · · · · · · · · · · · · · · ·		

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A. Uhm, he was not really -because really merchandisers don't get a bonus, like he does, but the way he would

be able to compensate me would be incremental pay raise. 5

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pay raise.

Q. When did you have this conversation, is this is a conversation that you had when you first started?

A. I think it was about a month, a month after I started.

Q. Okay. So tell me, to the best of your recollection, what you said and what he said.

A. I just asked him, you know, like how does it work if you are 15 performing above and beyond standards? 16 Is there a bonus? He says he was not 17 really sure about that for merchandisers. 18 He gets a bonus, but as far as what he 19 could do for me it would be an 20 incremental pay raise, and he says like 21 if I continue to do what I am doing, that

he will see what he can do to get me a

Merchandising would have led to that pay increase or if it would have led to that 2 promotion, so when I talk about front 3 pay. I'm just relating it to what could have been if I was still to work for 5 6 Ideal.

Q. Okay. Why don't you tell me your understanding of what the structure of the department you worked in at Ideal was. Did you have an idea of what Ideal's structure was?

A. Yes, ma'am.

Okay. Tell me what that

was. A. Ideal Merchandising would just basically be doing what Lowe's employees don't have the time to do and that's just like focus - like a lot of Ideal Merchandising products are small 19 rough components, PVC or fuses or 20 whatever that may be in both electrical 21 and plumbing, so just doing what Lowe's 22 employees didn't have time to do, and 23 counting all the little components,

Q. And did you say something in response to that?

A. No. I just said I appreciate you telling me that. That was it.

O. Okay. So did he say anything else after that?

A. No, because I didn't like asking him right then and there when can I get a pay raise. I just wanted to know how does it work to get that -- actually, I started off with bonus, but he said that that doesn't really work with merchandisers, but it would be an incremental pay raise.

Q. Anything else that you haven't told me about with respect to back pay?

A. No, ma'am.

Q. Okay. Now, then you said front pay. What do you mean by the term 20 "front pay"?

What I mean about front pay is just basically not knowing what Ideal would have - I don't know if Ideal

making sure they were supposed to be in the - in that location, followed by the

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correct pricing, followed by, whether it 3

be down stocking, front-facing or 4 reordering, so just basically doing stuff 5

that really Lowe's employees didn't have 7 time to do.

It was tedious. I mean, iust the -- that's why Ideal Merchandising would assign ten hours a 10 day in that one store and we would spend 11 most of the time in those two departments 12 because it takes up a lot of time to go 13

through all the inventory that Ideal 14 Merchandising had with plumbing and 15 16 electrical.

Q. I'm asking you a different 17 question, so let me ask it a different 18

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I'm asking you — you said or testified before that Jeremy Leaman 21 22 was your boss?

A. Correct.

Q. Do you know how many other

105 (Pages 414 to

418 420 people reported to Jeremy Leaman? 1 1 And to answer your question 2 A. Not really. I do know that about punitive, it's just basically the 3 he had a lot of Lowe's stores. pain and suffering because it caused me 4 Q. Okay. And do you know what to be depressed, and even when I was 5 the people in those Lowe's stores were still on Paxil, I was still a little doing? Were they doing the same thing 6 depressed. It may be mild, but here I am 7 you were doing or something different? working and doing well and I am still 7 8 The same thing. taking it. 9 Q. Okay. Do you know who 9 Q. All right. Anything else 10 Jeremy's boss was? besides what you have just told me which 10 11 A. No. ma'am. 11 relates to the punitive damage issue? Q. And was there anyone else 12 12 A. No. sir. 13 that you had responsibilities to or 13 Q. Then you said compensatory 14 reported to within Ideal other than 14 damages. Now, they mean a million 15 Jeremy Leaman? different things to a million different 16 A. No. ma'am. people, which is why I'm asking you this. 17 Q. Is there anything else in What do you mean by compensatory damages? 17 front pay that we haven't talked about 18 18 MR. PRIMOS: And, again, I 19 that you would term as front pay? 19 think you said before you're not 20 A. No, ma'am. 20 asking for a legal definition. 21 Q. And you said punitive MS. CLEMONS: Right, I'm not 21 22 damages. What do you mean by punitive 22 asking for legal definition. damages? I'm not asking you for a legal 23 23 MR. PRIMOS: I will just put definition. I'm just asking you what you 24 an objection on the record that 419 421 are looking for as the actual plaintiff. 1 1 Mr. Hanson doesn't have the 2 A. Okay. 2 ability to testify as far as a 3 Q. When you say "punitive 3 legal definition, but you can 4 damages," what do you mean? 4 certainly answer the question. 5 A. Punitive damages is the fact 5 MS. CLEMONS: And absolutely 6 that I am still taking 20 milligrams of 6 and that's not what I am asking Paxil because I'm not used to being out 7 7 him. I'm just asking him for what of work that long and the way I was --8 8 he was seeking. the way I was terminated just really hurt 9 THE WITNESS: There's a lot 10 me. I mean, it just shocked me that I 10 of definitions, but basically pre 11 can be so disposable, especially starting 11 and post legal fees to pay the at Lowe's and going to Ideal as my 12 12 attorney for being here, and after 13 second, vending, and making that my 13 here just to cover that basis for 14 career path, it just really just hurt me 14 the attorney fees, and any other so I didn't know what to do because I 15 15 fees that are accrued going 16 couldn't get a job. through court or this paperwork we 16 17 All I did -- I mean, I was 17 go through, just to cover all losing weight. All I did was sleep. I 18 18 these court fees that this is 19 mean, and I just didn't do nothing, 19 going to cost. and - I basically was miserable so 20 20 MS. CLEMONS: Okay. 21 that's why I had to go see Dr. Capiro and 21 BY MS. CLEMONS:

Q. Anything else that has to

A. A lot of it is just like --

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he prescribed Paxil and get a program,

a monthly basis to do a checkup.

not to only be on that, but to see him on

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23

24

deal with compensatory?

MITGING .	
422	424
1 I mean, just the validity would be hard	1 have been where I would have to ask for
	2 an extension or something, but I got
2 to keep track of, but a lot of it is just	3 and the reason it was eight and not six
3 the milage, the driving here for the	4 is because some of it was delayed with
4 defamation deposition, driving to	5 the paperwork, some of the stubs didn't
5 looking for the dozens of jobs because a	
6 lot of these job interviews I had to	
7 be - to go to Wilmington, some of them	
8 Rehobeth, so looking for jobs.	8 everything.
	9 Q. Okay. Anything else that we
1	10 haven't talked about in terms of damages
li i i i i i i i i i i i i i i i i i i	11 that you want out of this lawsuit?
11 doctor. A lot of driving and being	12 A. No, ma'am.
12 unemployed for those eight months,	13 Q. Okay.
13 driving now, being employed, going	14
14 through this, is also a factor.	1 10 10 14 14 14 14 14 14 14 14 14 14 14 14 14
15 Q. Is there anything else on	
16 the compensatory issue?	
17 A. No, ma'am.	17
18 O. Okay. Now, you mentioned	18 BY MS. CLEMONS:
19 that you were out of work for eight	19 Q. You have just been handed
20 months. How did you support yourself	20 what's been marked as Hanson Exhibit 10.
	21 Take a minute to look at it and tell me
1	22 if you know what this is.
	23 A. Okay. I would say this is,
23 live with my mom.	24 uhm this like is the code of conducts
Q. Did you receive any income	LT UIII
423	425
	1 policy.
1 during that time.	2 Q. Have you ever seen this
2 A. Unemployment.	3 before?
Q. Do you remember what that	4 A. No, ma'am.
4 amount was that you were receiving a	5
5 week?	6 (Whereupon, Exhibit 11 was
6 A. I can tell you what it was	7 marked for identification.)
7 at the end when I did finally get a -	1 '
8 when I finally did seek employment.	8
9 O. Uh-huh.	9 BY MS. CLEMONS: 10 O. Take a look at what's been
10 A. I don't know what it - I	True Tubility Number 11 and
11 don't remember what it was a week, but at	11 marked as Hanson Exhibit Number 11 and
12 the end it was a little bit over \$8,000.	1 17 (61) the fowards the porton or the
47 4 4 3	13 document if that's your signature.
	14 A. Yes, ma'am, it is.
1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	15 Q. Okay. Do you remember -
a see a see and the feeling	16 does this refresh your recollection as to
And did you collect the lun	re 17 what Exhibit Number 10 is?
17 26 weeks, the entire period that you we	18 A. Yes, it does.
18 permitted to collect?	19 Q. Okay. Now, what is Exhibit
19 A. No, you know, that's amazing	20 Number 10?
20 because I didn't get an extension. I	l - ·
21 mean. I don't think I got to the point	1 - 4 241-
22 where I would have to ask I think it	handbook!
	1 7 IMAGE METCHENHISHED & CHILDIOTAN HERODAN.
23 hit it right at the tail end of getting a	1
hit it right at the tail end of getting a job, because at the tail end, it would	24 A. Yeah, I remember it's a

	426		428
1	small gray-colored book so - I did get a	1	A. (Witness complies with
2	handbook.	2	request.)
3	Q. You did get a handbook?	3	Okay.
4	A. Yes, ma'am.	4	MR. PRIMOS: I will just
5	Q. And do you remember if this	5	note for the record that I don't
6	is the handbook you got?	6	know if there's a missing page or
7	A. Was this copied from the	7	lines or
8	handbook?	8	MS. CLEMONS: I think it's
وا	Q. Well, yes, it's a copy of it	9	no, it's the way it's copied.
10	- of Ideal's handbook, but I want to	10	I think it's the form that it's
111	know if this is what you received. It	111	in.
12	may look different because it has to be	12	MR. PRIMOS: Because it does
13	copied, so if it's in a smaller form, I'm	13	- if you go from page to page, it
14	sure it was enlarged and probably looks a	14	doesn't seem to follow the
15	little skewed, but feel free to look	15	wording.
16	through it and read it. I want to be	16	For example, between the
17	sure that this is what you received and	17	first and second page and between
18	acknowledged that you received by signing	1	the fourth and fifth page, I think
19	Hanson Number 11.	19	there's at least one line missing.
20	A. All I can say is I may have	20	MR. LEAHY: I think it may
21	received this, but I don't know if it's	21	be that there's a line that's cut
22	the same thing.	22	off.
23	Q. Did you keep a copy of the	23	MS. CLEMONS: At the top of
24	handbook that you received?	24	that one, yeah.
24	nghobook that you received:	-	um one, year.
	427		429
1	A. I gave to it my attorney.	1	THE WITNESS: I read most of
2	Q. Okay.	2	this.
3	MS. CLEMONS: Off the record	3	BY MS. CLEMONS:
4	again.	4	Q. Is it fair to say that,
5	• • •	5	whether or not that's the form of the
6	(Whereupon, there was a	6	book that you received, you received a
7	discussion held off the record at	7	book that gave you this, the information
8	this time.)	8	that is as contained in Exhibit 10?
9		9	A. Yeah, I will - I will - I
10	BY MS. CLEMONS:	10	would say, like you said, whether or not
111	Q. Can we agree on the record	11	it is or it isn't, I did receive a
12	that Mr. Hanson will look to see if he	12	handbook and it did outline company
13	has the copy of the handbook that he	13	policy. I do know that I had that in a
14	actually received and produce that if	14	handbook.
15	he's able to find it?	15	Q. That's fair.
16	A. On the record, I gave the	16	
17	one and only handbook that I had to the	17	(Whereupon, Exhibit 12 was
18	lawyer's office, so I don't have another	18	marked for identification.)
19	one.	19	
20	Q. Why don't you take a look at	20	BY MS. CLEMONS:
21	Exhibit 10 and read it and tell me if	21	Q. You have just been handed
22	this is if the content is what you	22	what's been marked as Exhibit 12. Could
23	read when you acknowledged you received		you tell me if that's your signature at
24	the manual?	24	the bottom of Exhibit 12?
1		J	•

430 1 Yes, ma'am. 1 recall doing it, but that's definitely my 2 2 Okay. Did you read and signature, so I want to say if I signed 3 understand this document before you 3 something like -- it is just like writing a check or something, I want to remember, 4 signed it? 5 5 A. Well, all I can say -- I A, I did sign it, but, I mean, I mean, I'm not going to say if I read the 6 obviously signed it. It has my name, it 7 7 whole thing, but all I can say is this is has the date, and I just can't --8 8 definitely my signature. What you're asking me is 9 9 Q. Okay. So you're saying you like do I remember reading everything or 10 don't remember or recall if you read this 10 -- most of the time I just browse through 11 and then sign, but I will verify that before you signed it? 11 12 A. Correct. 12 that is my signature. 13 Okay. 13 Q. Okay. Q. 14 A. But that's definitely my 14 A. It does say October 2003, 15 signature. 15 but I don't remember signing this, but it 16 Q. Okay. Did you understand 16 is my signature and I probably did browse 17 that Ideal had a harassment policy? 17 through all this and sign everything. 18 A. No. 18 Q. Okay. Taking a look at both 19 O. You did not? 19 Exhibit 10 and Exhibit 12, did you have 20 A. I did not. 20 an opportunity to review these two 21 Q. Okay. So why did you sign 21 exhibits? Are you comfortable with 22 this if you didn't read it. Mr. Hanson? 22 having reviewed them, because I want to 23 A. I don't - I will be honest 23 ask you some questions about it. If you 24 with you, I don't remember even signing need time, if you want to look at them, 431 the -- the only -- didn't we receive 1 1 please take the time and look at them. 2 something else? I don't even remember 2 A. Probably just Exhibit 12. 3 signing the -- the, uhm --3 Q. Okay. 4 Q. Number 11, Exhibit 11? 4 A. (Reviewing.) 5 5 A. Exhibit 11. I don't Okay. 6 6 remember signing this. I do know these Q. Okay? 7 7 are my signatures. All I can say is I Yes. 8 may have received more than one of these 8 Q. Looking at Exhibit 12 and 9 9 on the same day and I probably went Exhibit 10, do either or both explain 10 through them. If I received three or 10 what an employee of Ideal should do if 11 four or five of them, I will sign them 11 they feel they are being harassed or 12

12 all, but I may have browsed through it 13 and signed it, but I can't really say I 14 read the whole thing or remember the details of what I signed. 15 16 Q. Okay. On Exhibit 12, right 17 above your signature, what does it say? 18 A. I do hereby acknowledge that 19 I have read and understand the harassment 20 policy above. 21 Q. Okay. So are you saying

A. I'm not saying I don't

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recall doing it?

21 that you didn't do that or you just don't 22 23

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MS. CLEMONS: Okay. Fine. 24 Great. All right.

discriminated against? A. I see it on Exhibit 12. MR. PRIMOS: You know, if this will move this along, we will stipulate that it indicates that he's to report harassment to his supervisors. MS. CLEMONS: And/or the human resources department? MR. PRIMOS: And/or the human resources department.

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109 (Pages 430 to 433)

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1 you. 2 He said, well, you should 3 have called me before you called the care 5

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And I said, well, I didn't 6 know that.

Q. Okay. And you said I don't know that, and then he said?

A. Well, he goes -- well, actually, it's what I said after that. I 10 said, don't be surprised if you get a 11 call from Lowe's or Yvette herself. I just wanted to let you know.

Q. Okay. And he said?

A. He said, well, like I appreciate you giving me feedback, something to that extent, give me feedback to let me know what's going on and he just said he will talk to me later.

Q. All right. Is there – I don't mean verbatim, but is there any other substance that happened in that conversation that you didn't just tell

435 Q. When you say "right after," do you mean within minutes or the same day?

A. The same day, the same day.

Q. Okay. Okay. And so the phone rings. He says hello. You say?

A. Yeah, and I said, Jeremy, I called the care line on the store manager, Yvette.

Q. And he said?

24 right after I called the care line.

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A. And he goes, what happened? Well, I said, uhm, broke the

straw -- I'm not going to remember verbatim, but basically that she just said, are you going to do any work today, boy, just like what's been said, and

17 that's right, yeah, that's right, I'm 18 talking to you, boy, and I just said I

19 can't take it no more.

> Q. And what did he say in response to that?

A. He goes, you know, well, you know, you should have called me. Well, I said, I am calling

me?

The substance was the next day when I talked to him. There was really no substance in this call.

So this was a short phone Q. call?

It was short, brief.

8 Q. Okay. So then the next 9 phone call you had with him, you said it 10 was the next day?

A. Correct, the very next day.

Q. Okay. And he called you or you called him?

A. He called me.

Q. Okay. And the phone rings, you say hello?

A. Right.

Q. He says?

19 A. He says, yeah, I just spoke 20 with Yvette and, yeah, definitely next time, if it happens, go through me and 21 22 not the care line.

23 Q. And he said the next time it 24 or did he talk about what the incident

> 110 (Pages 434 to 437)

440 438 something out. 1 was or he just said the next time it He mentioned it, Jeremy 2 2 happened? Leaman mentioned it, and that's one thing A. See, like I said, it's tough 3 I left out, that, you know, right after to say verbatim, but the next time 4 he said it's basically like a he said/she 5 anything -- because he could have said it 5 said, the only way you can really get 6 or anything happens, just make sure you 6 anything out of it is by having the 7 go through me first and call me first. 7 conversation recorded. 8 Q. Before we go on in that 8 9 O. Okay. conversation, I want to go back. 9 Tape recorder, by that 10 A. The only thing you told him 10 means. about the previous day was that she said 11 11 Q. So he said something to the 12 hey - or the boy conversation? 12 effect of the only way that you can prove 13 A. Correct. 13 this is by tape recording the 14 Q. So he said the next time 14 conversation? anything happens, you should go through 15 15 A. Correct. 16 16 me first? Q. So what did that mean to 17 A. Correct. 17 you? How did you interpret that? 18 Then you said? 18 Q. A. Well, he knew I had a tape 19 A. And then I said, uhm, --19 20 recorder because I was using it for work well, actually, this is what he said. He 20 and I told him that I wasn't going to do 21 said that Yvette wants an apology and she 21 that, and I'm just addressing what the wants you to, you know, report to her and 22 22 concerns was, that I wanted to get it 23 23 apologize. rectified. Then basically I said, I'm 24 24 439 O. Okay. And so in response to sorry, Jeremy, I can't do that. She did 1 his comment to the extent of the only way 2 say that and I am not going to apologize 2 to prove it is to have a tape recorder, 3 for what she said. 3 you said I'm not going to do that? 4 Q. Okay. 4 A. That's correct. 5 Then he said, well, it is 5 Α. Q. Okay. Do you remember what 6 just like a he said/she said right now, 6 he said after that? 7 and if that happens again or anything 7 A. No, because he kind of -- he 8 happens again, something to that extent, said it nonchalantly. I don't -- it to like make sure you go through me first 9 9 wasn't like serious to me. It's 10 10 and call me. nonchallant, he said/she said, and the 11 Q. Is there anything else 11 during that conversation that you haven't 12 only way you can get that is with a tape 12 recorder, and we are not going to talk 13 told me about substantively? 13 14 about that. A. Uhm, that will be it. 14 And I said, yeah, it's not 15 Q. I'm going to ask you some 15 something I'm going to, I am not going to 16 questions because that's not what you 16

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Then he said, if anything happens or — just go through me. And that was then the end of the conversation.

21 conversation. 22 Q. Oks

do that.

Q. Okay. Did you tell him anything else about the incident that you didn't tell me already?

testified to before. You said some other

O. Now, did anything - did you

talk at all about a tape recorder during

A. Oh, yes, I did. I did leave

things, so I'm going to ask you some

questions about that.

Sure.

that conversation?

A.

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1	A. About the call?
2	Q. No, about the about what
3	you were complaining about. You had made
4	a complaint to the customer care line.
5	You called him the previous day — and if
6	anything that I say is incorrect, correct
7	me.
8	A. Okay.
9	Q. And you said that Yvette
10	made these comments to me?
11	A. Correct.
12	Q. Okay? And he said, you
13	should have called me first, and that was
14	pretty much the end of it, and then the
15	next day you have this conversation where
16	he says, I spoke to her, right?
17	A. Correct.
18	Q. She says she didn't say it
19	and she wants an apology?
20	A. Correct.
21	Q. And he says, it's a he
22	said/she said, and that's the only way,
23	you know - he makes a comment that the
24	only way is if you have it tape recorded,
1	and you said I'm not going to do that,

And then my rebuttal to Leaman was that she did say it, she was wrong, and I am not going to apologize for her -- to her.

Q. Did race or sex ever come up in that conversation?

A. I told him I was being treated unfairly.

Q. I understand that, but did you say -- I'm asking, did the term race or sex or national origin get used in that conversation?

A. It probably did, but like I said, that was a long conversation.

Q. And so are you saying you don't recall if it did come up?

A. I know I - I told him that I was being treated unfairly.

Q. You remember using the term unfairly or some words to that - and. really, I'm not trying to hamstring you here, but I just want to really try to understand what terms you used.

A. I just don't want to come out and say that I said this particular

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and he said, if anything happens, call me
 3
     first, right?
 4
         A. Right.
 5
         Q. Okay. Is there anything
 6
     else in that - substantively in that
 7
     conversation?
 8
         A. The second conversation was
 9
     a long conversation.
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         Q. Okay.
                                                10
         A. So, I mean, I know I'm going
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                                                11
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     to leave things out, just like I left out
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     the tape recorded one, but all I can say
                                                13
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     is the second conversation was a long
                                                14
    conversation. He said a lot. So I
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                                                15
16
    probably am leaving some things out.
                                                16
17
         Q. Okay. Did you tell Mr.
                                                17
18 Leaman why you thought that Yvette said 18
19
   what she said?
                                                19
20
        A. He said -- he -- he said --
                                                20
21
    all I remember from the gist of that
                                                21
22
    conversation was that she said to him
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word or that particular word because I'm trying to be as accurate as I can.

All I can say is - is that I told him that I'm not going to apologize to you, that I told her that --I told him that I was being treated unfairly and I don't know what the reason would be, and I could have said it could have been because of my gender, and I could have easily said that, but we said a lot.

He said actually more than I did, but what I said was just as much and, uhm, this was basically like just being unhappy with the outcome of the call. She wanted an apology and I wasn't going to give it.

Q. Okay. And is it fair to say that you don't remember or recall if you said the terms race or sex or national origin or any of those things came up in the conversation?

A. Yeah, I'm not comfortable with saying I said those terms, per se --

112 (Pages 442 to

didn't say she called me boy or anything.

that she didn't say any of that, she

23

1 Q. Okay. 2 A. — because there was a lot 3 said. I do know that I said I don't feel 4 like I'm treated fair. I know I said 5 something to that extent, but I'm not 6 comfortable just saying, bey, you know, 7 it's because of this, this and that, you 8 know. 9 Q. So you don't remember if you 10 told him you thought that you were being 11 unfairly on that basis? 12 A. I'm not comfortable saying 13 that I did because a lot was said that 14 night. 15 Q. Okay. Do you know if Mr. 16 Leaman knew what your race or national 17 origin is? 18 A. Yes. 19 Q. How de you know that? 20 A. He asked me. 21 Q. He asked you? 22 A. Uh-huh. 23 Q. And told him? 24 A. Well, I would say usually 25 A. Well, I would say usually 26 the same thing, that I'm just half 27 korean. 28 A. Well, I would say usually 29 working there? 3 A. He actually got a call from 4 Linda Myers. 4 Collinda Myers, I apologize, 6 okay. 4 The there any other 6 complaints that - 9 Did you report any other 1 told me about? 4 A. That I had trouble with 1 told me about? 4 Yes. 9 Q. Okay. What was that? 4 A. When I met him at Middletown 1 before I got hired. 9 Q. When did you have that 1 conversation with Mr. Leaman? 1 origin is? 1 A. Well, I would say usually 2 A. Well, I would say usually 2 A. Well, I would say usually 2 A. Well, I just told him that, 2 you know, and I had problems with her 4 two conversations where you reported to 5 Mr. Leaman the incident with Yvette, the 6 boy comment, did you ever have any other 7 conversations or complaints that you made 8 to Mr. Leaman the incident with you to an 9 answer. 10 A. Well, I just told him that, 2 you know, and I had problems with her 4 two conversations where you reported to 5 Mr. Leaman the incident with you tote, 6 okay. A ret there any other 6 complaints that - 9 Did you report any other 6 told him you report any other 6 voet of the bout was the said she didn't want 8 A. He actually got a call from 9 Okay. A that the actually got a call from 1 that did because a lot was asid that 1 told me out? A. That I had tr				
2 you working there? 3 said. I do know that I said I don't feel 3 like I'm treated fair. I know I said 5 something to that extent, but I'm not 6 comfortable just saying, hey, you know, 1'fs because of this, this and that, you 8 know. 9 Q. So you don't remember if you 10 told him you thought that you were being 11 unfairly on that basis? 12 A. I'm not comfortable saying 13 that I did because a lot was said that 14 night. 15 Q. Okay. Do you know if Mr. 16 Leaman knew what your race or national 17 origin is? 18 A. Yes. 19 Q. How de you know that? 10 A. He asked me. 21 Q. He asked you? 22 A. Uh-huh. 23 Q. And told him? 24 A. Well, I would say usually 1 the same thing, that I'm just half 2 Korean. 3 Q. Okay. Now, other than these 4 two conversations where you reported to 5 Mr. Leaman or anyone else at Ideal 9 about your treatment while you were 10 working there? 11 unfairly on that basis? 12 A. Yes. 13 A. That I had trouble with 14 you know ith Mr. Leaman? 15 Q. By Ms. CLEMONS: 16 CLEMONS: Okay. 17 Okay. Do you know that? 18 A. Well, I just told him that, you know, and I had problems with her when I was a vendor before. I shis going to be a problem with me — you know with me doing my job? 16 He basically, the first day, as I mentioned, the first day, as I mentioned, the first day, as I mentioned, the first day as I mentioned, the first day, as I mentioned, the first day as I did ty get hired. 19 MS. CLEMONS: Okay. 20 By MS. CLEMONS: Okay. 21 Q. Se you covered that thoroughly, the first-day conversation where we were with Yvette? 21 Q. Se you covered that thoroughly, the first-day conversation where we were with Yvette? 22 A. Uh-huh. 23 Q. Okay. Now, ether than these 24 two conversations where you reported to Mr. Leaman or anyone clese at Ideal about your treatment while you were were work with a with any body, it will be the department and they are the ones that know what's going on in the department managers because they are the ones that know was a yound problems were with Yvette? 21 Q. Se you covered that 22 Q.	Γ	446		448
2 you working there? 3 said. I do know that I said I don't feel 4 like I'm treated fair. I know I said 5 something to that extent, but I'm not 6 comfortable just saying, hey, you know, 7 it's because of this, this and that, you 8 know. 9 Q. So you don't remember if you 10 told him you thought that you were being 11 unfairly on that hasis? 12 A. I'm not comfortable saying 13 that I did because a lot was said that 14 night. 15 Q. Okay. Do you know if Mr. 16 Leaman knew what your race or national 17 origin is? 18 A. Yes. 19 Q. How do you know that? 10 Q. He asked me. 11 Q. He asked me. 12 Q. Aut dold him? 13 Q. And told him? 14 the same thing, that I'm just half 15 Korean. 16 Q. Okay. Now, other than these 16 two conversations where you reported to 17 Mr. Leaman or anyone else at Ideal 18 about your treatment while you were 19 working there? 2 A. Uh-huh. 2 D. Linda Myers, I apologize, 3 okay. 3 Are there any other 3 complaints that— 3 Did you report any other 4 told me about? 4 A. Yes. 4 A. Yes. 4 A. Yes. 5 Q. Okay. What was that? 4 A. Well are toulous with Mr. Leaman that you have that 5 conversation with Mr. Leaman? 5 Q. Me asked you? 5 A. He actually got a call from 6 ind Myers. 6 okay. 6 Are there any other 6 conversation that— 9 Did you report any other 12 A. Yes. 13 A. He actually got a call from 14 Linda Myers. 6 okay. 6 Are there any other 15 told me about? 14 A. Yes. 15 A. Yes. 16 Q. Okay. What was that? 17 A. Hat I had trouble with 18 Yvette when I was a vendor working for 18 Spectrum. 19 A. Well I was a vendor working for 19 Spectrum. 20 A. Uh-huh. 21 A. Uh-huh. 22 A. Uh-huh. 23 Q. Okay. Now, other than these 6 boy comment, did you ever have any other 6 conversations were you reported to 6 Mr. Leaman or anyone else at Ideal 9 about your treatment while you were 19 working there? 1 A. Teaman that you have that 20 Q. When did you even that 21 A. Uh-huh. 22 A. Uh-huh. 23 Q. Okay. Now, other than these 24 two conversations where you reported to 25 Mr. Leaman the tyou have that 26 to Mr. Leaman that you have	1	O. Okay.		•
3 said. I do know that I said I don't feel 4 like I'm treated fair. I know I said 5 something to that extent, but I'm not 6 comfortable just saying, hey, you know, 7 it's because of this, this and that, you 8 know. 9 Q. So you don't remember if you 10 told him you thought that you were being 11 unfairly on that basis? 12 A. I'm not comfortable saying 13 that I did because a lot was said that 14 night. 15 Q. Okay. Do you know if Mr. 16 Leaman knew what your race or nationant 17 origin is? 18 A. Yes. 19 Q. How do you know that? 20 A. He asked me. 21 Q. How do you were being 10 insues to Mr. Leaman that you haven't told me about? 14 A. That I had trouble with 15 Yvette when I was a vendor working for Spectrum. 16 Conversation with Mr. Leaman? 17 origin is? 18 A. Yes. 19 Q. How do you know that? 20 A. Uh-huh. 21 Q. He asked me. 21 Q. He asked you? 22 A. Uh-huh. 23 Q. And told him? 24 A. Well, I would say usually 25 A. Well, I would say usually 26 Cokay. Now, other than these two conversations where you reported to Mr. Leaman the incident with Yvette, the boy comment, did you ever have any other conversations or complaints that you made to have a vendor before. Is this she's the store manager in Dover, as you already know, and I had problems with her when I was a vendor before. Is this she's the store manager in Dover, as you already know, and I had problems with her when I was a vendor before. Is this she's the store manager in Dover, as you already know, and I had problems with her when I was a vendor before. Is this she's the store manager in Dover, as you know, with me doing my job? 10 He basically, the first day I almost didn't get hired. 11 MR. PRIMOS: Same objection a see fore. I believe that's been asked and answered, but you can answer. 12 MR. PRIMOS: Same objection as before. I believe that's been asked and answered, but you can answer. 13 MR. PRIMOS: Same objection as before. I believe that's been asked and answered, but you can answer. 14 MR. CLEMONS: 15 Q. So you covered that 16 MR. CLEMONS: 17 Okay. Ok		A because there was a lot	2	you working there?
4 like I'm treated fair. I know I said 5 something to that extent, but I'm not 6 comfortable just saying, hey, you know, 7 it's because of this, this and that, you 8 know. 9 Q. So you don't remember if you 10 told him you thought that you were being 11 unfairly on that basis? 12 A. I'm not comfortable saying 13 that I did because a lot was said that 14 night. 15 Q. Okay. Do you know if Mr. 16 Leaman knew what your race or national 17 origin is? 18 A. Yes. 19 Q. How do you know that? 10 A. He asked me. 21 Q. He asked you? 22 A. Uh-huh. 23 Q. And told him? 24 A. Well, I would say usually 25 A. Well, I would say usually 26 Mr. Leaman the incident with Yvette, the boy comment, did you ever have any other 27 conversations or complaints that you made to Mr. Leaman or anyone else at Ideal a about your treatment while you were 10 working at the Dover Lowe's? 11 MR. PRIMOS: Same objection as before. I believe that's been asked and answered, but you can answer. 15 THE WITNESS: Well, it's a — basically, the first day, as I mentioned, the first day I almost didn't get hired. 19 MS. CLEMONS: 20 BY MS. CLEMONS: 21 Q. So you covered that the first day I almost didn't get hired. 22 thoroughly, the first-day conversation warein we are talking about you saying the problems were with Yvette? 24 A. Just not getting any cooperation, uhm - you problems were with Yvette? 25 A. Well, I it's a - basically, the first day I almost didn't get hired. 26 Did you explain to haven't told me about? 27 A. Yes. 28 Day MS. CLEMONS: 29 C. Jan the first day I almost didn't get hired. 29 Listhis what you told him? 20 A. Well, I just told him that, conversation. 29 C. Jan the first day I almost didn't get hired. 29 Day MS. CLEMONS: 20 Can the first day I almost didn't get hired. 20 Cokay. So you covered that the first day I almost didn't get hired. 20 Cokay. Go shead. 21 Linda Myers. 22 Leaman the tayou have the complaints that - oblay on the dout? 24 A. That I had trouble with Yvette when I was a vendor working for Spectrum. 25 A. When I met him at		said. I do know that I said I don't feel	3	
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told him you thought that you were being 10 unfairly on that basis? A. Tm not comfortable saying 12 A. Yes. Q. Okay. Do you know if Mr. Leaman knew what your race or national 17 origin is? A. Yes. Q. How do you know that? A. He asked me. Q. He asked you? A. Uh-huh. Q. And told him? A. Well, I would say usually the same thing, that I'm just half Korean. Q. Okay. Now, other than these two conversations where you reported to boy comment, did you ever have any other conversations or complaints that you made to Mr. Leaman the incident with Yvette, the boy comment, did you ever have any other conversations or complaints that you made to Mr. Leaman or anyone else at Ideal about your treatment while you were working at the Dover Lowe's? MR. PRIMOS: Same objection as before. I believe that's been assked and answered, but you can answer. THE WITNESS: Well, it's a basically, the first day, as I mentioned, the first day I almost didn't get hired. MS. CLEMONS: Q. So you covered that thoroughly, the first-day conversation saying of the problems were with Yvette? MR. CLEMONS: Q. So you covered that thoroughly, the first-day conversation where we are talking about you saying wherein we are talking about you saying to be a problem with me — you know, what's going on in the department managers because they are the ones that will sign you out on your PDA. Q. Did you explain to him what your problems were with Yvette? A. Uh-huh. A. Well, I just told him that, you know—I just said Yvette, like she's the store manager in Dover, as you already know, and I had problems with her when I was a vendor before. Is this going to be a problem with me — you know, with me doing my job? He basically just said,			9	Did you report any other
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12 A. Yes. 13 that I did because a lot was said that 1 inight. 15 Q. Okay. Do you know if Mr. 16 Learman knew what your race or national 17 origin is? 18 A. Yes. 19 Q. How do you know that? 20 A. He asked me. 21 Q. He asked you? 22 A. Uh-huh. 23 Q. And told him? 24 A. Well, I would say usually 25 A. Well, I would say usually 26 Mr. Learman the incident with Yvette, the boy comment, did you ever have any other conversations or complaints that you made to Mr. Learman or anyone else at Ideal about your treatment while you were working at the Dover Lowe's? 10 MR. PRIMOS: Same objection as before. I believe that's been asked and answered, but you can answer. 15 THE WITNESS: Well, it's a — basically, the first day, as I mentioned, the first day I almost didn't get hired. 20 By MS. CLEMONS: 21 Q. So you covered that thoroughly, the first-day conversation with Mr. Learman? 22 A. When I was a vendor working for Spectrum. 23 Q. When did you have that conversation with Mr. Learman? 24 A. When I met him at Middletown before I got hired? 25 A. Well, I just told him that, you know, and I had problems with her when I was a vendor before I be that's been as a vendor before I be fore I got hired? 26 A. Well, I just told him that, you know — I just said Yvette, like she's the store manager in Dover, as you already know, and I had problems with her when I was a vendor before I got hired? A. When I met him at Middletown before I got hired? A. Well, I just told him that, you know — I just said Yvette, like she's the store manager in Dover, as you already know, and I had problems with her when I was a vendor before. Is this going to be a problem with me — you know, with me doing my job? He basically just told him that, you know, basically deal directly through me, and if you deal with anybody, it will be the department managers because they are the ones that who what's going on in the department managers because they are the ones that who was a vendor before. Is this going to be a problem with me — you that the problems were the			11	told me about?
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	24	Mr. Leaman got a call from Yvette and h	9 29	any cooperation and, uniti, just had

450 just it was very difficult for me to deal 1 said you are terminated right off the with Yvette. 2 3 Q. Okay. Well, did you give 3 He caught me off guard that 4 him any specific examples, or was it kind 4 he called me on Sunday. I don't usually 5 of she's not cooperating with me, you get a call on a Sunday from him, just know, the things you just said? 6 6 basically, uhm, uhm, you know - that's 7 A. No, I didn't go into details 7 probably why I get called twice, because with him. I just said -- I just 8 I asked him to check into a -- just 9 mentioned that -- briefly that, you know, 9 basically like what's going on in the 10 this is it, and, this is the story and Dover store. I'm understanding that, you 10 11 basically it is hard for me to deal with know, they don't want you back in the 11 12 Yvette on a — on a business level. 12 Dover store. 13 Q. Okay. Are there any other 13 I said -- I said, why, what 14 conversations that you had with Mr. 14 happened? Uhm, like who said that? 15 Leaman about anything that you 15 He said Linda Myers. He --16 experienced at the Dover store? 16 he was hesitant, but he did say the name. 17 A. No. ma'am. He did tell me that it was Linda who said 17 18 Q. Did you ever complain to Mr. 18 that to him. 19. Leaman about Carlos Vazquez? 19 Q. He said what's going on 20 A. No, ma'am. 20 basically, I am getting some reports, 21 Q. Now, I understand that you Linda Myers doesn't want you back to the 21 22 previously testified that Mr. Leaman is 22 Dover store? the one who called you and told you that 23 A. That's correct. 23 your employment was terminated with 24 And so then you said in 451 1 Ideal? 1 response to that? 2 A. Correct. A. Well, what I said -- I like 2 3 Q. Did he tell you who made the 3 to -- like I made a statement earlier decision within Ideal to terminate your 4 that I would like to, uhm, change because 4 5 employment? 5 what I said after that was -- I was Who made the decision within A. 6 talking about whether or not I could 7 Ideal? still work in Middletown, but that's not 7 8 Q. Yes. 8 -- I did say that, but I didn't say that 9 No, ma'am. A. after he said I can go back to the Dover 9 10 Okay. Did anyone ever tell 10 store. What I asked him was the reason, you who decided to terminate you within 11 11 so I did make a mistake earlier on that. 12 Ideal? 12 Q. That's okay. 13 A. No, ma'am. A. Yeah, so he just said, you 13 14 Q. And I promise I won't know, there's conversations recorded. 14 torture you much longer, but I want to 15 15 And I told him, you know, I have a tape kind of pick up with the same thing I did 16 recorder and you know what I use it for. 16 with other calls you had with Jeremy 17 I said, that's nonsense. Can you please 17 18 Leaman about this last call. 18 call back? Yvette has the final call on 19 The phone rings. It's that, and I don't know, I don't have a 19 20 Sunday afternoon. You said hello. And 20 rapport with Yvette, but I just wanted to 21 he says? just - just for him to get at least it 21 22

Q. So I'm going to just back

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A. He just said, uhm, man -- I

mean, I remember the conversation, but

what he said -- I mean, it's not like he

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from her, you know.

24 you up a little bit.